

Remarks

1. *Objection to the Abstract*

The abstract of the disclosure has been objected to because its length exceeds 150 words, referring to MPEP § 608.01(b). The applicant has amended the abstract. The abstract is now shorter than 150 words, in compliance with MPEP § 608.01(b).

2. *Claims 1-58 rejected under 35 USC §103(a)*

Claims 1-58 have been rejected. No claims have been amended or cancelled. Claims 1-58 remain pending.

In the Office Action, claims 1-58 have been rejected under 35 U.S.C. 103(a) as obvious with respect to Henerlau et al., U.S. Patent No. 6,442,660 (hereinafter, “Henerlau”) in view of Hansson, U.S. Patent No. 5,023,620 (hereinafter, “Hansson”). Regarding claim 1, the Office Action states, “Henerlau discloses receiving, resizing, and executing a plurality of code sections in an embedded application (Figures 2 and 3; column 2, lines 1-15 and column 12, lines 20-28).” The Applicant respectfully disagrees.

This rejection is traversed as follows. An invention is unpatentable if the differences between it and the prior art would have been obvious at the time of the invention. As stated in MPEP § 2143, there are three requirements to establish a *prima facie* case of obviousness:

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

With respect to the third prong of an obviousness analysis, the combination of the references does not yield all the limitations of the claimed invention. Neither Henerlau nor Hansson discloses at least the claimed “resizing code sections,” as claimed in claim 1. In order to clearly demonstrate that Henerlau does not disclose, at least, resizing code sections, the Applicant quotes here the complete sections of Henerlau cited in the Office Action with reference to claim 1:

In a computer system having an embedded application, a method of dynamic system relocation, including creating a ROM version of an embedded application which is executable from ROM; creating a RAM version of the embedded application which is executable from RAM; comparing the RAM version of the embedded application to the ROM version of the embedded application to identify differences between the RAM version and the ROM version; storing the differences between the ROM version and the RAM

version of the embedded application and the relocation table in ROM; on system initialization; conditionally copying the ROM version of the embedded application into RAM; modifying the copied ROM version now in RAM as a function of the differences stored in the relocation table; and executing the embedded application from the RAM version of the embedded application.

Henerlau, col. 1, line 66 to col. 2, line 15.

The process of relocating the code during system initialization requires two steps: 1) copying the ROM code section image to the appropriate location in RAM, adjusting the heap section pointers, and 2) Adjusting the data and code sections with the values in the relocation table to their appropriate RAM values. It is estimated that the amount of time required for both of these tasks is comfortably less than one second, perhaps on the order of 750 milliseconds.

Section Copy

Henerlau, col. 12, lines 20-28.

The Applicant asserts that Henerlau describes creating duplicate copies of software. The first copy is stored in ROM. The second copy is created from the ROM copy and is stored in RAM. According to Henerlau, it is advantageous to run software out of RAM, rather than out of ROM, because RAM is faster. Some of the address pointers from the ROM copy are inappropriate for use in the RAM copy, as they point to addresses in ROM, rather than RAM. Thus, Henerlau envisions correcting the address pointers in the RAM copy, so that they point to addresses in RAM. No resizing of code sections is performed. Specifically, the differences referred to in both of the above Henerlau quotes refer to differences in addresses. Differences in code section sizes are not mentioned. The Applicant asserts that Hansson also does not disclose resizing codes sections. Accordingly, the Hansson and Henerlau references combined do not teach or suggest at least the claim limitation of resizing codes sections.

Furthermore, the Applicant asserts that the Office Action does not demonstrate a motivation to combine the Henerlau and Hansson references. Still further, the Office Action does not show a reasonable expectation of success of producing the claimed invention, even if Henerlau and Hansson could be combined. Accordingly, the Applicant respectfully requests an allowance of claim 1.

Regarding claims 2-27, which depend from claim 1, claims 2-27 enjoy all of the distinctions over the prior art enjoyed by claim 1. Accordingly, the Applicant respectfully requests allowance of claims 2-27.

Regarding independent method claim 28, “resizing current code sections,” is recited, which is patentably distinct from the cited references for the reasons described above with respect to claim 1. In reference to claim 28, the Office Action cites Heneralau, col. 3, lines 35-43, in addition to those

portions of Henerlau cited with respect to claim 1. In order to demonstrate that Henerlau does not disclose, at least, resizing code sections, the Applicant reproduces the entire cited portion here:

The building of such a system involves creating two distinct versions of the embedded application or system, one for RAM and one for ROM, comparing the two systems, and storing the differences in a relocation table. These are stored in ROM during system initialization, the relocation table is used to modify the RAM copy of the system. After the system has made a copy of itself and correctly modified the values as described by the relocation table, the system then continues to execute from RAM.

Henerlau, col. 3, lines 35-43.

Similar to the Henerlau quotes above with reference to claim 1, no resizing of code sections is mentioned. The differences referred to are address differences only, as described above with reference to claim 1. The Office Action also cites the Henerlau Abstract, which introduces no new matter besides that already introduced by the above three Henerlau quotes. Accordingly, for at least the above-described reasons, the Applicant respectfully requests an allowance of claim 28.

Regarding independent system claim 29, “a compactor to resize current code sections” is claimed. The Office Action, on Page 15, rejects claim 29, “for the same corresponding reasons put forth in the rejection of the corresponding method of claim 1.” The Applicant asserts that claim 29 is allowable for at least the reasons described above with respect to claim 1. Accordingly, the Applicant respectfully requests an allowance of claim 29.

Regarding claims 30-57, which depend from claim 29, claims 30-57 are allowable for at least the reasons described above with respect to claim 29. Accordingly, the applicant respectfully request allowance of claims 30-57.

Regarding independent system claim 58, “a compactor... to resize current code sections” is claimed. The Applicant asserts that claim 58 is allowable for at least the reasons described above with respect to claim 1. Accordingly, the applicant respectfully requests an allowance of claim 58.

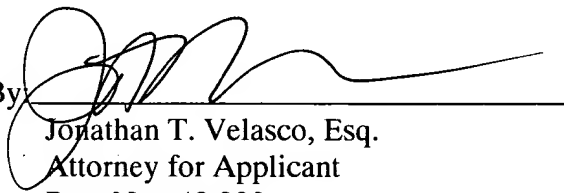
Conclusion

Claims 1-58 have been rejected. No claims have been amended or cancelled. Claims 1-58 remain pending. The applicant respectfully requests an early allowance of pending claims 1-58. If the Examiner has any questions or comments regarding the above Amendments and Remarks, or if the Examiner believes that a telephone conversation would facilitate prosecution, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,

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By


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